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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/237,125      01/26/99      PADMANABAN

M      1997/A006

ANDREW F. SAYKO JR  
CLARIANT CORPORATION  
70 MEISTER AVENUE  
SOMERVILLE NJ 08876

IM62/0801

EXAMINER

ASHTON, R

ART UNIT

PAPER NUMBER

1752

DATE MAILED:

08/01/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trad marks**

# Office Action Summary

Application No.  
09/237,125

Applicant(s)  
Padmanaban et al.

Examiner  
Rosemary Ashton

Group Art Unit  
1752



☒ Responsive to communication(s) filed on May 24, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-27 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1 is/are rejected.

☒ Claim(s) 2-27 is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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## **DETAILED ACTION**

### ***Election/Restriction***

1. The examiner withdraws the restriction requirement made by Examiner Barreca and responded to in the paper filed May 24, 2000. All claims have been examined.

### ***Claim Objections***

2. Claim 1 is objected to because of the following informalities: The last line of claim 1 on page 43 has a “,” before the word “phenyl group” which leads to confusion. It appears this is a typographical error. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by DeBergalis cited on applicant's IDS.

Applicant's invention is directed to a radiation sensitive composition comprising a monomer having formula I.

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DeBergalis teaches a radiation sensitive composition comprising a monomer which meets the limitations of formula I. As shown in col. 6, compound 10 meets the limitations of formula I when R1 is a C2 alkylene, X is O, Y is O and D is a substituted phenyl group.

***Allowable Subject Matter***

5. Claims 2-27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter: Claims 2-27 are directed to copolymers comprising the formulas in claim 1. The prior art does not teach a copolymer having formula II as in claim 1 used in a radiation sensitive or ARC composition, a method of using the composition or a method of making the copolymer as claimed.

DeBergalis teaches copolymerizing the monomer having formula I with acrylic monomers, however, the monomers are not the same as those claimed in the instant application.

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rauterkus et al. cited on applicant's IDS teaches a monomer meeting the limitations of formula I in col. 4, line 50, formula (I), however, it is not used in a radiation sensitive or ARC composition.

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With respect to the Fahey reference cited on applicant's IDS the examiner notes applicant did not include the full article with relevant Figures missing. Fahey teaches a copolymer having a monomer of an anthracene acrylate as shown in Scheme 2, page 440 and a copolymer having a monomer of N-anthracene maleimide in a copolymer with maleic anhydride as shown in Scheme 1, page 438. These copolymers do not read on the copolymers claimed by applicant.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to R. Ashton whose telephone number is (703) 308-2057 or to Supervisory Examiner J. Baxter whose telephone number is (703) 308-2303.

rea



July 31, 2000

Rosemary Ashton  
Patent Examiner  
Art Unit 1752